

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION**

W.T. DAVIS, INDIVIDUALLY, et al.

PLAINTIFFS

v.

CASE NO. 6:89-CV-06088

HOT SPRINGS SCHOOL DISTRICT, et al.

DEFENDANTS

**DEFENDANTS' COMBINED RESPONSE TO PLAINTIFF'S MOTIONS
FOR EXTENSION OF TIME AND TO ENGAGE IN DISCOVERY**

Defendant school districts ("Districts")¹ respond to plaintiffs' motion for extension of time to file response to defendants' motion for relief from settlement agreement (Doc. 212) and plaintiffs' motion to engage in discovery prior to responding to defendants' motion for relief from settlement agreement as follows:

1. The Districts do not oppose the extension motion, which seeks a 30-day extension of time to respond to the Districts' motion for relief from settlement agreement. Plaintiffs' filed the extension motion late Friday evening several hours after inquiring with counsel for the Districts but before counsel had an opportunity to discuss the extension with the seven different Districts. Had plaintiffs waited until Monday morning, the Districts could have confirmed their lack of opposition.

2. The Districts oppose the discovery motion, which rests on nothing more than plaintiffs' unsupported assertion "that it would be necessary and in the

¹ The Districts are the Cutter-Morning Star School District, Fountain Lake School District, Hot Springs School District, Jessieville School District, Lake Hamilton School District, Lakeside School District, and Mountain Pine School District.

interest of justice for all if they are allowed to engage in discovery” and “helpful” to take depositions before responding to the Districts’ motion for relief from settlement agreement. Doc. 213 at 1, ¶ 1.

3. Missing from those assertions is any detail about the desired depositions. How many depositions would be taken? Who would be deposed? What subjects require discovery? Can the depositions be completed before the extended response deadline of October 14?

4. Plaintiffs thus request essentially unlimited discovery to be completed in a compressed timeframe, all without providing any explanation as to what discovery they want to do and why that discovery is necessary. The Court should deny plaintiffs’ unsupported request.

WHEREFORE, the Districts request that the Court deny plaintiffs’ discovery motion and grant the Districts all other proper relief.

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